

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

TRUSTEES OF THE SUBURBAN TEAMSTERS )  
OF NORTHERN ILLINOIS WELFARE AND )  
PENSION FUNDS, )  
 )  
Plaintiffs, )  
 ) No. 2017 C 3070  
v. )  
 ) Judge Feinerman  
 )  
WALLACE PAVING, LLC )  
an Illinois limited liability corporation, ) Magistrate Judge Gilbert  
 )  
Defendant. )

**MOTION FOR JUDGMENT IN SUM CERTAIN**

NOW COME the Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUND, by and through its attorney, JOHN J. TOOMEY, ARNOLD AND KADJAN, and pursuant to FRCP 55 move for judgment in sum certain per the Court's November 6, 2017 Order and no counsel appearing, as stated in this Complaint and the supporting Affidavits attached hereto. In support of its Motion, Plaintiffs state as follows:

1. Suit was filed on April 24, 2017 for collection of delinquent contributions plus attorneys' fees, costs and interest under 29 U.S.C. 1132(g)(2).
2. Service was made upon WALLACE PAVING, LLC, an Illinois liability corporation on May 11, 2017, an Answer filed May 31, 2017 by counsel who withdrew November 6, 2017 without answering discovery and a FRCP 37 Motion to Compel was brought.
3. Defendant appeared through counsel, who withdrew from the case November 6, 2017. Substitute counsel did not appear before December 4, 2017 and per the Court's Docket Entry of November 6, 2017, absent appearance, an FRCP 55(a) default would be entered.

4. Defendant is now in default on the Complaint and as supported by the attached Affidavits the sums due are:

\$25,740.00	Welfare
\$28,098.00	Pension
\$12,125.00	Attorneys fees
<u>\$1,051.74</u>	Court costs
\$67,014.74	

WHEREFORE, Plaintiffs pray for:

1. Entry of judgment against Defendant, WALLACE PAVING, LLC, an Illinois limited liability corporation, and in favor of Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS PENSION AND WELFARE FUNDS in the amount of \$67,014.74.

TRUSTEES OF THE SUBURBAN TEAMSTERS  
OF NORTHERN ILLINOIS PENSION AND  
WELFARE FUNDS

s/John J. Toomey  
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Dated: December 8, 2017